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LB 578

have to provide enough information to create a reasonable belief that a violation has occurred. A naked allegation with nothing more would be insufficient to trigger action by the commission. I hope you will adopt the amendment, which would strike all of Section 2 from the bill.

PRESIDENT MAURSTAD: Thank you, Senator Chambers. For discussion on the Chambers amendment to LB 578, Senator Vrtiska, followed by Senators Schimek, Beutler, Bromm, Baker, and Janssen.

SENATOR VRTISKA: Thank you, Mr. Lieutenant Governor. And I only rose to say that I think Senator Chambers is probably correct insofar as the word "prosecuted". I...I sat in the hearing, as many of us on the Government did, and heard this bill. And it was my opinion at that time that the discussion was only about the fact that they were looking for those frivolous suits or frivolous claims that were being made, they wanted to get rid of. And I think that what Senator Chambers has done, by removing at least the word "prosecute", and I'm not too sure that that whole section has to go out, because there is, it appears to me, if you took the word "prosecuted" out of there, you would eliminate the problem that I see, that Senator Chambers has brought up. Again, the whole discussion that we heard during that testimony was that there seemed to be a problem with some frivolous...some frivolous claims being made that was causing them to have to investigate, when there was actually no...no proof shown at all that the person had violated any kind of...any kind of a crime or statute. Therefore, that's why they wanted this in there. And it would appear to me that what Senator Chambers has done would be all right if he'd only remove the word "prosecuted" from the...from the Section 2 that he talks about, because that seems to be where the problem is. And I agree that certainly the commission does not have the right to prosecute anybody. As indicated by Senator Bromm, that's the duty of the county attorney. So it would appear to me that if we'd remove that word out of there, Senator Chambers, it would in fact do exactly what you want to do, and not...and still take the problem that they seemed to be having with people who file these frivolous claims in fact have no basis in fact, and therefore it's taking up a lot of their time. And that's the testimony that I heard, and that's why I voted for the bill.